

REMARKS

The application has been amended to place it in condition for allowance at the time of the next Official Action.

The specification is amended to include section headings.

Claims 1-21 are pending in the application. Applicants note with appreciation the indication that claims 13 and 14 are allowable.

Claim 19 is amended to refer only to claim 18 to obviate the claim objection as to this claim.

Claims 1, 2, 8, 9, 15-18, 20 and 21 were rejected under 35 USC 102(b) as being anticipated by ABPLANALP 6,062,493. That rejection is respectfully traversed.

The position set forth in the Official Action is that ABPLANALP discloses a secondary jet including means for effecting the first fractional distillation of liquid and a principal jet including means for effecting a second fractional distillation of said liquid.

However, the above characterization of ABPLANALP is inconsistent with the disclosure of this reference.

Figure 4 of ABPLANALP shows the configuration of the reference including the passage of liquid and gas through the sprayer. From Figure 4 and the associated passages, it is disclosed that the spray of gas goes through channel 32 which

comprises a Venturi constriction leading to the creation of a vacuum. The vacuum forces product from container 11 up to 17 and through channel 37 where it is mixed with gas in the extension chamber 34 and sprayed into the atmosphere. Such disclosure is the only disclosure of how ABPLANALP effects a fractional distillation of the liquid. ABPLANALP fails to disclose a first means for effecting a first fractional distillation of the liquid and a second means for effecting a second fractional distillation of the liquid, the first fractional distillation being part of the secondary jet and the second fractional distillation being part of the principal jet.

In contrast, ABPLANALP only discloses a single fractionation of the liquid in the expansion chamber 34. ABPLANALP does not suggest two fractional distillations, a first fractional distillation as part of a secondary jet and a second fractional distillation as part of a principal jet.

Independent method claim 17 recites the steps of effecting a first fractional distillation and effecting a second fractional distillation. As explained above, ABPLANALP performs only one fractionalization in the expansion chamber. Accordingly, claim 17 is also believed to define over ABPLANALP.

As the reference does not disclose that which is recited, the anticipation rejection is not viable. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 19 and 21 were rejected under 35 USC 103(a) as being unpatentable over ABPLANALP. This rejection is respectfully traversed.

Claims 19 and 21 depend from claim 17 and further define the invention and are believed patentable over ABPLANALP at least for depending from an allowable independent claim.

Claims 3-7 were rejected under 35 USC 103(a) as being unpatentable over ABPLANALP in view of CHERRY et al. GB 727836. That rejection is respectfully traversed.

CHERRY is only recited with respect to features of the dependent claims. CHERRY does not overcome the shortcomings of ABPLANALP set forth above with respect to claim 1. Since claims 3-7 depend from claim 1 and further define invention, claims 3-7 are believed to be patentable at least for depending from an allowable independent claim.

Claims 10-12 and 20 were rejected under 35 USC 103(a) as being unpatentable over ABPLANALP in view of WANSON et al. FR 2,481,782. That rejection is respectfully traversed.


WANSON is only cited with respect to features of the dependent claims. WANSON does not overcome the shortcomings of ABPLANALP set forth above with respect to claims 1 and 17. Since claims 10-12 depend from claim 1 and since claim 20 depends from claim 17 and further defines the invention, these claims are believed to be patentable at least for depending from an allowable independent claim.

In view of the present amendment and the foregoing Remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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